

TCEQ DOCKET NO. 2014-0944-UCR

PETITION FROM ROYSE	§	BEFORE THE TEXAS
WORLD LAND, LP, FOR AN	§	
EXPEDITED RELEASE	§	
FROM TALTY WATER	§	COMMISSION ON
SUPPLY CORPORATION'S	§	
CERTIFICATE OF	§	
CONVENIENCE AND	§	ENVIRONMENTAL
NECESSITY NO. 10850 IN	§	
KAUFMAN COUNTY, TEXAS	§	QUALITY

**EXECUTIVE DIRECTOR'S SUPPLEMENTAL RESPONSE TO ROYSE WORLD
LAND, LP'S MOTION TO OVERTURN THE EXECUTIVE DIRECTOR'S ORDER**

TO THE HONORABLE COMMISSIONERS:

The Executive Director (ED) of the Texas Commission on Environmental Quality hereby files its supplemental response to Royse World Land, LP's (Petitioner) Motion to Overturn the Executive Director's Order (MTO) granting Petitioner's petition for an expedited release from Talty Water Supply Corporation's (Talty WSC) Certificate of Convenience and Necessity (CCN) in Kaufman County, Texas. The ED signed an Order granting Petitioner's request for an expedited release from Talty WSC's CCN area on May 28, 2014. This response is filed in order to supplement the ED's reply to the MTO filed on July 9, 2014, as requested by the TCEQ General Counsel on July 10, 2014.

In the MTO, Petitioner stated that they have been involved in discussions with Talty WSC regarding water service to Petitioner's land and believe that an agreement may be reached. Petitioner requested that the ED's Order be overturned to allow for further attempts to reach an agreement and indicated that both parties agree with the motion. The ED agrees with all of the dates and factual background included in the MTO.

There was no error in the ED's approval of Petitioner's petition for an expedited release from Talty WSC's CCN No. 10850 and none was alleged in the MTO. The petition for expedited release met all applicable statutory requirements. The ED's only basis for not objecting to Petitioner's MTO is to accommodate the parties' statement that they are actively working toward an agreement to resolve their issues. The ED also recognizes that the parties submitted an earlier request to withdraw the petition, but the ED had already acted on the petition and could not withdraw it at that time. The ED recognizes that the parties do not yet have a signed agreement but that, if they do reach an agreement, Petitioner's land removed from Talty WSC's

CCN under the petition will be returned to the CCN. The ED also notes that, in the event no agreement is reached, Petitioner would be required to submit a new petition for expedited release.

Ultimately, the ED has no objection to granting Petitioner's motion but defers to the Commissioners on whether there is a valid basis to grant the MTO and return the 239.140 acres of Petitioner's property subject to the ED's Order to Talty WSC's CCN No. 10850.

Respectfully submitted,

Robert Martinez, Director
Environmental Law Division

By: 

Jessica Gray
Staff Attorney
Environmental Law Division
Bar No. 24079236
P.O. Box 13087, MC 173
Austin, Texas 78711-3087
(512) 239-0627 Telephone
(512) 239-0606 Facsimile

REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on this 17th day of July 2014, a true and correct copy of the foregoing document has been served upon all parties via electronic filing, electronic mail, and first class mail to the addresses listed on the attached mailing list.



Jessica Gray
Staff Attorney

Mailing List
Royse World Land, LP – Talty Water Supply Corporation
TCEQ Docket No. 2014-0944-UCR

Angela M. Stepherson
Coats, Rose, Yale, Ryman & Lee, P.C.
5420 LBJ Freeway, Suite 600
Dallas, Texas 75240
972/982-8450 FAX 972/982-8451
astepherson@coatsrose.com

Corey Trail
Talty Water Supply Corporation
P.O. Box 890
Forney, Texas 75126-0890

Gregory A. Shumpert
Shumpert Law Office
302 West Nash Street
Terrell, Texas 75160

Vic McWherter
TCEQ Office of Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087
FAX 512/239-6377
Vic.Mcwherter@tceq.texas.gov

Agenda Docket Clerk
TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Fax: (512) 239-3311